

REMARKS

Claims 1-17 are all the claims pending in the application.

Claims 1-17 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ngo et al. (WO 00/04427) in view of Malkin et al. (EP 1 021 021).

With respect to independent claim 1, the Examiner acknowledges that Ngo does not disclose the feature, “the system transmits a notifying message to said at least one of the plurality of service recipient devices prior to providing the service, to confirm whether said at least one of the plurality of service recipient devices can receive the service or not,” as recited in claim 1. The Examiner alleges, however, that Malkin makes up for this deficiency of Ngo. In response, Applicant submits that Malkin does not satisfy the above-quoted limitation. That is, the PING message, which the Examiner believes corresponds to the claimed notifying message, only determines whether a particular device is connected to a network. The PING message does not “confirm whether said at least one of the plurality of service recipient devices can receive the service or not,” as recited in claim 1. A device that is connected to a network is not necessarily enabled to received a service. Therefore, at least based on the foregoing, Applicant submits that independent claim 1 is patentably distinguishable over the applied references.

Applicant submits that independent claims 5, 9, 13, and 17 are patentable for reasons similar to those set forth above with respect to claim 1.

Applicant submits that dependent claims 2-4, 6-8, 10-12, and 14-16 are patentable at least by virtue of their respective dependencies from independent claims 1, 5, 9, and 13, respectively.

Further, with respect to dependent claim 3, Applicant amends this claim, as indicated in herein and submits that the applied references, either alone or in combination, do not teach or

suggest at least, “wherein the additional identifying information includes information about at least one of a user name, a vendor, and a model name,” as recited in amended claim 3. Nowhere does Malkin, which the Examiner believes satisfies the additional features recited in claim 3, even mention identifying information including a user name, a vendor, or a model name.

Applicant amends dependent claims 7, 11, and 15 similar to the proposed amendment of claim 3, and submits that claims 7, 11, and 15 are patentable at least for reasons similar to those set forth above with respect to claim 3.

Further, with respect to claim dependent 4, Applicant submits that the applied references, either alone or in combination, do not teach or suggest the additional features recited in claim 4. The Examiner acknowledges that Ngo does not satisfy the additional features recited in claim 4, however the Examiner alleges that Malkin makes up for the deficiencies of Ngo. In response, Applicant submits that nowhere does Malkin teach or suggest that the push service provides a certain service to said at least one of the plurality of service recipient devices repeatedly in a predetermined period. Even if, *assuming arguendo*, Malkin discloses a push service, as the Examiner alleges, the recited portions of Malkin do not indicate that such service is performed repeatedly in a predetermined period. Malkin only discloses that an alleged push service only occurs when a device satisfies a specific status, however there is no mention of a predetermined period as recited in claim 4.

Applicant submits that dependent claims 8, 12, and 16 are patentable at least for reasons similar to those set forth above with respect to claim 4.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

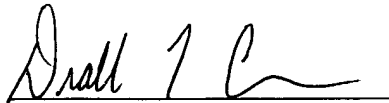
AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/985,827

ATTORNEY DOCKET NO. Q65852

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 25, 2005